

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

CAREY DON SMITH,)	
)	
)	
)	CIVIL ACTION
v.)	
)	
)	NO. 15-cv-00325
ALLSTATE INSURANCE COMPANY, <i>et al.</i>,)	
)	
)	
Defendants.)	
)	

DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT

Defendants Allstate Insurance Company, Randy Miller, and Jeff Donaway move this Honorable Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss Plaintiff Carey Don Smith's Complaint in its entirety and with prejudice for the reasons set forth in full detail in their supporting Memorandum of Law filed contemporaneously herewith.

WHEREFORE, Defendants respectfully request that this Honorable Court enter an Order granting their Motion to Dismiss Plaintiff's Complaint in its entirety and with prejudice and awarding Defendants such other relief as this Court deems just and equitable.

Dated: November 16, 2015

Respectfully submitted,

/s/ M. Scott Barnard

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served on November 16, 2015, by electronic mail on the following counsel:

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